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12 Attorneys for Defendants
13 HITACHI, LTD., HITACHI DISPLAYS, LTD.,
14 HITACHI ELECTRONIC DEVICES (USA), INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

STATE OF OREGON, *ex rel.* John Kroger,
Attorney General,

This Document Relates to Individual Case No.
3:10-cv-4346 SI

Plaintiffs,

Master File No. 3:07-md-1827

v.

MDL No. 1827

AU OPTRONICS CORPORATION, *et al.*,

**STIPULATION AND [PROPOSED] ORDER
REGARDING TIME TO RESPOND TO
AMENDED COMPLAINT**

Defendants.

1 WHEREAS plaintiff State of Oregon (“Oregon”) filed the above captioned lawsuit on
 2 August 10, 2010;

3 WHEREAS Oregon filed a first amended complaint on April 15, 2011 (“Amended
 4 Complaint”);

5 WHEREAS Defendants Hitachi Displays, Ltd., Hitachi Electronic Devices (USA), Inc.
 6 and Hitachi, Ltd. (collectively, the “Hitachi Defendants”) and Defendants Chi Mei Corporation,
 7 Chi Mei Innolux Corporation, CMO Japan Co., Ltd., and Chi Mei Optoelectronic USA, Inc.
 8 (collectively, the “Chi Mei Defendants”) jointly filed with other defendants a motion to dismiss
 9 Count III in its entirety and Count IV to the extent it seeks “disgorgement of profits” as a remedy
 10 on June 6, 2011;

11 WHEREAS the Court denied Defendants’ joint motion to dismiss Counts III and IV of the
 12 Amended Complaint on July 12, 2011;

13 WHEREAS all defendants, including the Hitachi Defendants and Chi Mei Defendants,
 14 entered into a stipulation with Oregon on July 21, 2011 that Defendants’ deadline to answer the
 15 Amended Complaint was August 12, 2011;

16 WHEREAS on July 21, 2011, the Court entered an order extending Defendants’ deadline
 17 to answer the Amended Complaint until August 12, 2011;

18 WHEREAS the Hitachi Defendants and Chi Mei Defendants entered into a stipulation
 19 with Oregon on August 11, 2011 that the Hitachi Defendants’ and Chi Mei Defendants’ deadline
 20 to answer the Amended Complaint is September 12, 2011;

21 WHEREAS on August 24, 2011, the Court entered an order extending the Hitachi
 22 Defendants’ and Chi Mei Defendants’ deadline to answer the Amended Complaint until
 23 September 12, 2011;

1 WHEREAS the Hitachi Defendants and Chi Mei Defendants entered into a stipulation
 2 with Oregon on September 9, 2011 that the Hitachi Defendants' and Chi Mei Defendants'
 3 deadline to answer the Amended Complaint is September 26, 2011;

4 WHEREAS on September 13, 2011, the Court entered an order extending the Hitachi
 5 Defendants' and Chi Mei Defendants' deadline to answer the Amended Complaint until
 6 September 26, 2011;

7 WHEREAS the Hitachi Defendants and Chi Mei Defendants entered into a stipulation
 8 with Oregon on September 23, 2011 that the Hitachi Defendants' and Chi Mei Defendants'
 9 deadline to answer the Amended Complaint is November 4, 2011;

10 WHEREAS on September 28, 2011, the Court entered an order extending the Hitachi
 11 Defendants' and Chi Mei Defendants' deadline to answer the Amended Complaint until
 12 November 4, 2011;

13 WHEREAS the Hitachi Defendants and Chi Mei Defendants entered into a stipulation
 14 with Oregon on November 3, 2011 that the Hitachi Defendants' and Chi Mei Defendants'
 15 deadline to answer the Amended Complaint is December 9, 2011;

16 WHEREAS on November 4, 2011, the Court entered an order extending the Hitachi
 17 Defendants' and Chi Mei Defendants' deadline to answer the Amended Complaint until
 18 December 9, 2011;

19 WHEREAS extending the Hitachi Defendants' and Chi Mei Defendants' time to respond
 20 to the Amended Complaint will not alter the date of any other event or deadline already fixed by
 21 the Court;

22 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
 23 undersigned counsel, on behalf of their respective clients, Oregon, on the one hand, and the
 24 Hitachi Defendants and Chi Mei Defendants on the other hand, as follows:

1 SIMPSON THACHER & BARTLETT LLP
2

3 /s/ Harrison J. Frahn IV
4

5 Harrison J. Frahn IV (SBN 206822)
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12 *Attorneys for Defendants Chi Mei Corporation,
13 Chimei Innolux Corporation, Chi Mei Optoelectronics USA,
14 Inc., and CMO Japan Co., Ltd.*

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FILER'S ATTESTATION

I, Kent M. Roger, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order. In compliance with General Order 45.X.B, I hereby attest that Michael M. Kelley and Harrison J. Frahn IV concur in this filing.

/s/ Kent M. Roger

Kent M. Roger

Attorneys for Defendants Hitachi, Ltd., Hitachi Displays, Ltd., and Hitachi Electronic Devices (USA), Inc.

[PROPOSED] ORDER

Pursuant to the parties' stipulation set forth above and pursuant to Rule 6-1(a) of the Civil Local Rules, IT IS SO ORDERED.

Dated: December 12, 2011

By Susan Histon

HON. SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

MORGAN, LEWIS &
BOCKIUS LLP
ATTORNEYS AT LAW
SAN FRANCISCO